



Appeal Decisions

Site visit made on 28 June 2024

by Mike Worden BA (Hons) DipTP MTRPI

an Inspector appointed by the Secretary of State

Decision date: 6 August 2024

Appeal A Ref: APP/U2370/W/23/3329883

1-2 The Estuary Riverside Chalets, Wardleys Lane, Hambleton, Poulton-Le-Fylde, Lancashire, FY6 9DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Elaine Shore against the decision of Wyre Borough Council.
 - The application Ref is 23/00362/FUL.
 - The development proposed is: Modular timber shed to be used as a storage facility in conjunction with the existing holiday accommodation business. Storage of mobility equipment that are used by guests in the chalets together with guest oxygen/medical supplies and suitcases.
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Appeal B Ref: APP/U2370/W/24/3343252

1-2 The Estuary Riverside Chalets, Wardleys Lane, Hambleton, Poulton-Le-Fylde, Lancashire, FY6 9DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Elaine Shore against the decision of Wyre Borough Council.
 - The application Ref is 23/01038/FUL.
 - The development proposed is: Erection of a modest storage building to be used for the storage of mobility equipment, bed linen, towels, laundry equipment, maintenance equipment and garden furniture.
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Decision

1. Appeal A is allowed and planning permission is granted for a modular timber shed to be used as a storage facility in conjunction with the existing holiday accommodation business. Storage of mobility equipment that are used by guests in the chalets together with guest oxygen/medical supplies and suitcases. at 1 & 2 The Estuary Riverside Chalets, Hambleton, Poulton-Le-Fylde, FY6 9DX in accordance with the terms of the application, Ref 23/00362/FUL, subject to the conditions in the attached schedule.
2. Appeal B is dismissed and planning permission for the erection of a modest storage building to be used for the storage of mobility equipment, bed linen, towels, laundry equipment, maintenance equipment and garden furniture. is refused.

Preliminary Matters

3. I have used the description of development for the appeals as set on the respective application form, not on the decision notice.

4. The building in Appeal A has been constructed and I have determined this appeal retrospectively.

Main Issue

5. The main issue in both appeals is the effect of the proposal on the character and appearance of the area.

Reasons

6. The appeal site lies to the east of the Wyre Estuary and is situated between Wardleys Lane and the River Wyre. The appellant operates a holiday chalet business and two chalets are situated on the site. There are different paddocks on the site, one which is used by touring caravans and motor homes during the summer months, and another to the south which is used for agriculture. A large agricultural barn lies to the south of the site. The land slopes down towards the Estuary away from Wardleys Lane and there are views out across the Estuary to Thornton Cleveleys. The appeal site is visible across the other side of the Estuary from Wyre Country Park.
7. The development in Appeal A is a storage building which is located towards the southern end of the site, within the field used for caravans.
8. The proposal in Appeal B is for a larger storage building which would be located immediately to the south of the two chalets. It would form a line of three detached buildings. The storage building would be used to house equipment associated for the operation of the chalets particularly given that the chalets are marketed for those with accessibility needs.
9. The building which the subject of Appeal A is 8m long and 4m wide with a curved roof. It has a maximum height of 2.9m. It is clad in wood with UPVC windows frames and door. It is located around 80m away from the holiday chalets.
10. Policy SP4 of the adopted Wyre Local Plan 2011-2032 (the Local Plan) seeks to protect the countryside. The appeal sites lies within the designated countryside area. The policy restricts new development outside of settlements to a list of exceptions. One of these is holiday accommodation in line with Policy EP9 of the Local Plan and another is for the expansion of rural businesses in line with Policy EP8 of the Local Plan. None of the other exceptions are relevant to this proposal.
11. Policy EP9 sets down criteria for the consideration of proposals for holiday accommodation sites. One of these is that any new building and supporting infrastructure is necessary. Policy EP8 seeks to support proposals to help the rural economy but requires that expansion of existing businesses must not be detrimental to the rural character of the area and any new building or supporting infrastructure is necessary.
12. The building which is the subject of Appeal A stands alone in the landscape, albeit being located close to the boundary hedge with Wardleys Lane. It sits slightly lower on the ground than the paddock to the south. It is clad in green materials over the roof and down its side elevations. It is a relatively small structure. I do not consider that it is harmful to the open character of the area.

13. The building which is the subject of Appeal B whilst located close to the chalets would be of significant size being around 10.3m long, around 8.7m wide and with a ridge of around 5.37m. It would appear prominent in the landscape and would significantly extend the linear built form of the holiday accommodation buildings to the south. I consider by virtue of its size, scale and prominent location, the proposed building would have a significantly harmful effect on the open rural character of the countryside.
14. I have had regard to the nature of the holiday business in providing accommodation for guests who may have special needs but I do not consider that there would be any public benefits which would outweigh the harm in respect of the proposal in Appeal B. The proposal would be harmful to the character and appearance of the area and would be contrary to Policies SP4, EP8 and EP9 of the Local Plan.
15. In respect of the building in Appeal A, it is less prominent in the landscape by virtue of its lower height, smaller size and form, and its location close to the hedge alongside Wardleys Lane. I do not consider that being located around 80m away from the chalets makes it function any less well in terms of its ability to support the business. It would appear to me that equipment and materials which are listed as potential storage items on the description of development could easily be transported that distance within the site.
16. I have had regard to the recent planning consent for a smaller storage building on the site of Appeal B adjacent to the chalets. Whether or not that building by itself will meet the storage needs of the business is disputed. It clearly would be of a different nature to the building in Appeal A. In its statement the Council refers to it obviating the need for the building in Appeal A as it would effectively accommodate all the storage needs of the business. However, there is not enough evidence before me to be satisfied that that would be the case.
17. Given the circumstances related to the need to support the business and its relatively low impact on the landscape, I consider that the building in Appeal A would not be harmful to the character and appearance of the area and would accord with Policies SP4, EP8 and E9 of the Local Plan.
18. The building in Appeal B however because of its size, scale, form and location on the site would be harmful to the character and appearance of the area and would be contrary to Policies SP4, EP8 and EP9 of the Local Plan.

Conditions

19. I have considered the conditions for Appeal A suggested by the Council in light of the necessary tests set out in planning practice guidance. As well as the plans condition which is required for certainty, a condition needs to be imposed to ensure that the building is used for ancillary storage purposes only and not for holiday accommodation.
20. I cannot be satisfied that all works relating to trees, hedgerows and landscape/habitat creation and management have been agreed or carried out so impose the conditions suggested by the Council in the interests of biodiversity. Also, in the interests of biodiversity, I have imposed a condition relating to lighting.

Conclusion

- 21. For the reasons set out above, Appeal A is allowed
- 22. For the reasons set out above, Appeal B is dismissed

Mike Worden

INSPECTOR

APPEAL A SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following plans: Site Location Plan (received 10 April 2023) and Proposed Site Layout (received 28 April 2023)
- 2) The use of the building hereby approved shall be restricted to storage purposes which are ancillary to the main use of the site being holiday accommodation and shall not be used as a separate unit of holiday accommodation.
- 3) No tree felling, tree works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report undertaken by a suitably qualified person immediately prior to any clearance has been submitted and approved in writing by the Local Planning Authority, demonstrating that nesting/breeding birds have been shown to be absent.
- 4) No external lighting shall be installed on the building or within the application site without express planning consent from the Local Planning Authority.
- 5) A Landscape and Habitat Creation and Management Scheme, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall identify the opportunities for biodiversity enhancement on site including, but not limited to hedgerow planting and the provision of bird boxes. The Landscape and Habitat Creation and Management Scheme shall be implemented in accordance with the approved details.

Appendix 2

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/U2370/W/23/3329883	Ms Elaine Shore
Appeal B	APP/U2370/W/24/3343252	Elaine Shore